

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICCO D. SLADE,

Plaintiff,

-against-

CORRECTIONAL HEALTH JOHN DOE,

Defendant.

23-CV-1419 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is currently detained in the Anna M. Kross Center on Rikers Island, is proceeding *pro se*. On April 25, 2023, the Court received a letter from Plaintiff stating that he wishes to discontinue this action because he has an attorney who is pursuing this matter in state court. (ECF 9.)

The Court grants Plaintiff's request to withdraw this action, and the complaint is dismissed under Rule 41(a) of the Federal Rules of Civil Procedure.

The Clerk of Court is directed not to charge Plaintiff the \$350.00 filing fee for this action, and the Warden or Superintendent having custody of Plaintiff is directed to suspend any previously authorized monetary deduction from Plaintiff's prison trust account for this lawsuit.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: April 25, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge